



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Ref.: 956-282

PENDERGRASS et al

Group: 3727

Serial No. 10/716,869

Examiner: UNKNOWN

Filed: November 20, 2003

For: DRINKING CUP LIDS WITH PROMOTIONAL  
GAME PIECE

\* \* \* \* \*

March 8, 2004

Assistant Commissioner for Patents  
Washington, DC 20231

**SUBMISSION OF EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY  
AND EXCLUSIVE PROSECUTION HEREAFTER BY ASSIGNEE  
UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

Sir:

Enclosed herewith is the Exclusive Substitute Power Of Attorney And Exclusive Prosecution Hereafter By Assignee Under 37 C.F.R. §§ 1.36, 3.71 and 3.73 for the above-identified application.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

Bryan H. Davidson  
Reg. No. 30,251

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\* \* \* \* \*

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY  
AND EXCLUSIVE PROSECUTION HEREAFTER BY  
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

The undersigned being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints Nixon & Vanderhye, P.C., 1100 North Glebe Rd., 8th Floor, Arlington, Virginia 22201-4714, telephone number (703) 816-4000, facsimile number (703) 816-4100, and the following attorneys thereof (of the same address) individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent: Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; Arthur R. Crawford, 25327; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366;

Mary J. Wilson, 32955; Alan M. Kagen, 36178; Robert A. Molan, 29834; B. J. Sadoff, 36663; Updeep S. Gill, 37334; Michael J. Shea, 34725; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rhoa, 37515; Raymond Y. Mah, 41426; Chris Comuntzis, 31097; Gary R. Tanigawa, 43180; Paul T. Bowen, 38009; Willem F. Gadiano, 37136.

I also authorize Nixon & Vanderhye to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.

**Certificate Under 37 C.F.R. §3.73(b)**

I hereby certify that Sweetheart Cup Company Inc. of 10100 Reisterstown Road, Owings Mills, Maryland 21117 is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors to the aforesaid assignee, a copy of the assignment being attached and/or recorded at the United States Patent Office on            at reel            , frame            .

I have reviewed the documents in the chain of title of the patent application identified above, and to the best of my knowledge and belief, title is in the aforesaid assignee for which I am empowered to act in this matter.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

1001 of Title 18 of the United States Code and that such willful false statements may  
jeopardize the validity of the application or any patent issuing thereon.

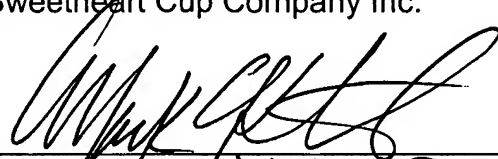
Sweetheart Cup Company Inc.

Feb. 27, 2004  
Date

By:

Name:

Title:



Mark Kirkwood

V.P. General Mktg.

# COPY

956-282

**ASSIGNMENT FOR PROVISIONAL APPLICATION**  
**(All Rights)**

WHEREAS William B. PENDERGRASS, Robert J. SCHAEFER, Joseph M. NEUKAM, and Peter K. BOLLER, (hereinafter ASSIGNORS) of 45 Longview Drive, Hanover, Pennsylvania 17331; 137 Chapeltowne Circle, Baltimore, Maryland 21236; 2001 Codd Avenue, Baltimore, Maryland 21222; and 20 Low Meadoway, Toronto, Ontario, Canada MZH2V7, respectively, have made invention(s) disclosed in a provisional application entitled DRINKING CUP LIDS WITH PROMOTIONAL GAME PIECE and which was filed in the United States Patent and Trademark Office on November 20, 2003 under Serial No.

\_\_\_\_\_ (Attorney Docket No. 956-281); we hereby authorize and request ASSIGNEE'S attorneys, Nixon & Vanderhye P.C., of 1100 North Glebe Road, 8th Floor, Arlington, Virginia 22201-4714, to insert here the serial number of said application when known.

WHEREAS, **SWEETHEART CUP COMPANY INC.** (hereinafter ASSIGNEE), a corporation of the State of DELAWARE, having an office and place of business At 10100 Reisterstown Road, Owings Mills, Maryland, 21117 is desirous of acquiring an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR by these presents hereby sells, assigns, and transfers unto the said ASSIGNEE, its successors, assigns, and legal representatives, the full and exclusive right to the said invention in the United States and all foreign countries, as described in the aforesaid application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, for the sole use and behoof of ASSIGNEE, its successors, assigns, and legal representatives.

And, ASSIGNOR hereby agrees to transfer a like interest upon request of said ASSIGNEE, its successors, assigns, and legal representatives, and without further remuneration, in and to any improvements, and applications for patents based thereon, growing out of or related to the said invention; and to execute any papers by ASSIGNEE, its successors, assigns, and legal representatives, deemed essential to ASSIGNEE'S full protection and title in and to the invention hereby transferred.

Agreeing, further, upon request of ASSIGNEE, and without further remuneration, to execute any and all papers desired by ASSIGNEE, for the filing and granting of foreign applications and the perfecting of title thereto in ASSIGNEE.

The undersigned hereby authorize(s) and request(s) Nixon & Vanderhye P.C. to insert hereon any further identification necessary or desirable for recordation of this document.

11-25-03

Date

William B. Pendergrass

William B. PENDERGRASS

Witnessed by:

Monica E. Olschki

Name: MONICA E. OLSCHKI

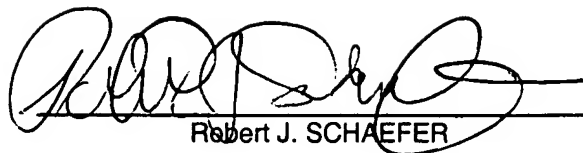
11-25-03


Date:

NOV. 25, 2003

Date

Witnessed by:

  
Robert J. SCHAEFER

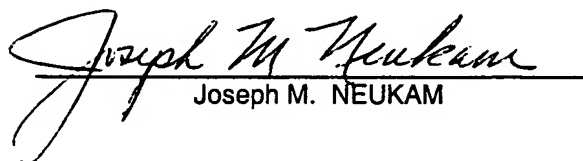
  
Name: MONICA E. OZDARSKI


11-25-03  
Date:

Nov. 25, 2003

Date

Witnessed by:

  
Joseph M. NEUKAM

  
Name: MONICA E. OZDARSKI

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Date:

Date

Witnessed by:

Peter K. BOLLER

Name:

Date:

Nov. 25 2003

Date

  
Robert J. SCHAEFER

Witnessed by:

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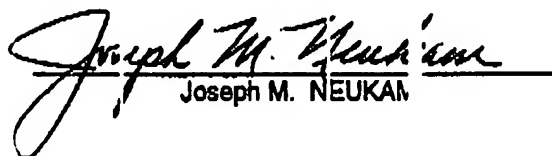
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Joseph M. NEUKAN

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11-25-03

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NOV. 26, 2003

Date: